

Express Mail Label No. **EV 325 823 054 US**

Attorney Docket No. 38797-8004.US00 (510/002)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**PATENT**IN RE APPLICATION OF: HARLEY *et al.*

APPLICATION NO.: 10/562,374

I.A. FILING DATE: 06/23/2004

FOR: COMPOSITIONS AND METHODS FOR INCREASING
TELOMERASE ACTIVITY

EXAMINER: UNASSIGNED

ART UNIT: UNASSIGNED

CONF. No.: 7952

Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)Mail Stop Missing Parts
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. **To complete the filing requirements for the above-referenced patent application, applicant submits the following:**

- ☒ A copy of the Notification of Missing Requirements
- ☒ A signed Declaration and Power of Attorney
- ☒ A Power of Attorney by Assignee
- ☒ A Copy of three recorded Assignments for informational purposes only.
- ☒ A Petition under 37 CFR §1.47(a) and associated Exhibits A-H
- ☒ A Petition for 2-month Time Extension
- ☒ A Sequence Listing, diskette and matching declaration
- ☒ A check in the amount of \$780 covering the fees due.


2. **Conditional Petition for Extension of Time**

Applicant petitions for an Extension of Time if necessary for timely filing of this Response.

3. **Fee Payment**

- ☒ Applicant claims large entity status. See 37 CFR §1.27
- ☒ Enclosed is a check in the amount of \$780 to cover the surcharge for late filing of the Declaration (\$130), the 2-mo. time extension (\$450), and petition (\$200) fees due.
- ☒ Please charge any underpayment or credit any overpayment for timely filing of this Response to Deposit Account No. 50-2207.

Respectfully submitted,


 LeeAnn Gorthey
 Registration No. 37,337
Date: Sept 5, 2006**Correspondence Address:**

Customer No. 22918

Phone: (503) 727-2116

Fax: (503) 346-2116

09/14/2006 GFREY1 00000114 10562374

01 FC:1617

130.00 GP

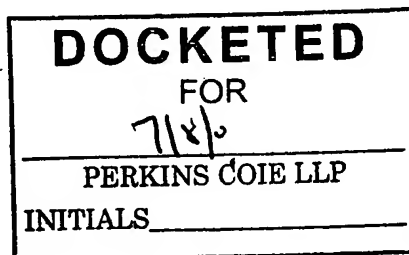


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,374	Calvin B. Harley	38797-8004.US00

22918
PERKINS COIE LLP
P.O. BOX 2168
MENLO PARK, CA 94026



INTERNATIONAL APPLICATION NO.	
PCT/US04/20277	
I.A. FILING DATE	PRIORITY DATE
06/23/2004	06/23/2003

CONFIRMATION NO. 7952
371 FORMALITIES LETTER



Date Mailed: 05/08/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/23/2005
- Copy of the International Search Report filed on 12/23/2005
- Preliminary Amendments filed on 12/23/2005
- U.S. Basic National Fees filed on 12/23/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at

63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,374	PCT/US04/20277	38797-8004.US00